

JS 44 (Rev. 09/11)

CIVIL COVER SHEET

The JS 44 civil coversheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

KHALIF WILLIAMS, et al

DEFENDANTS

CITY OF HARRISBURG, et al

(b) County of Residence of First Listed Plaintiff Daughin

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Daughin

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

James, Schwartz & Associates, P.C.,
1500 Walnut Street, 21st Floor, Phila. PA 19102 (215)751-9865

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act (Excl. Veterans) <input type="checkbox"/> 152 Recovery of Defaulted Student Loans <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 section 1983 of the Civil Rights Act

Brief description of cause:

Civil rights violations under 1983 and state torts for false arrest, malicious prosecution, assault and battery

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

 DEMAND \$
 2,000,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

07/05/2012

SIGNATURE OF ATTORNEY OF RECORD

Jonathan J. James



FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KHALIF WILLIAMS
NAIM WILLIAMS
RASHID GILMORE
SHARIFF BLAKE
DEANNA BLAKE
3907 SCHOOL HOUSE LANE
HARRISBURG, PA 17109

PLAINTIFFS,

v.

CITY OF HARRISBURG
10 NORTH SECOND STREET
HARRISBURG, PA 17101

AND

P/O TODD CHANCE , BADGE No. 65
P/O ERIC CARTER, BADGE No. 154
P/O THOMAS MCGARRITY
P/O HUDSON HUGHES
P/O LUIS RODRIGUEZ
P/O JOHN/JANE DOE 1-10
123 WALNUT STREET
HARRISBURG, PENNSYLVANIA 17101

DEFENDANTS.

CIVIL ACTION No.

JURY TRIAL DEMANDED

COMPLAINT

JURISDICTION

1. This is an action for money damages brought pursuant to 42 U.S.C. §§ 1983 and 1988 and the Fourth and Fourteenth Amendments to the United States Constitution, and under the common law of the Commonwealth of Pennsylvania. Jurisdiction is based upon 28 U.S.C. §§ 1331 and 1343, and the aforementioned statutory provision. Plaintiffs further invokes the pendent jurisdiction of this Court, provided by 28 U.S.C. § 1367, to entertain claims arising under state law.

PARTIES

2. Plaintiff Khalif Williams, at all times relevant to this Complaint, was and is a resident of the City of Harrisburg, in the Commonwealth of Pennsylvania.

3. Plaintiff Naim Williams, at all times relevant to this Complaint, was and is a resident of the City of Harrisburg, in the Commonwealth of Pennsylvania.

4. Plaintiff Rashid Gilmore, at all times relevant to this Complaint, was and is a resident of the City of Harrisburg, in the Commonwealth of Pennsylvania.

5. Plaintiff Shariff Williams, at all times relevant to this Complaint, was and is a resident of the City of Harrisburg, in the Commonwealth of Pennsylvania.

6. Plaintiff Deanna Blake, at all times relevant to this Complaint, was and is a resident of the City of Harrisburg, in the Commonwealth of Pennsylvania, is the mother of the other Plaintiffs named above, and is the owner and operator of a store located at 1501 Herr Street, Harrisburg, PA.

7. Defendant City of Harrisburg, at all times relevant to this Complaint, is a municipality of the Commonwealth of Pennsylvania, and owns, operates, manages, directs and controls the Harrisburg Police Department, which employs the below-named police officers.

8. Defendant Todd Chance, at all times pertinent to this Complaint, was and is employed by the Harrisburg Police Department, acting under color of state law, pursuant to the official policy, custom or practice of the City of Harrisburg and/or its Police Department. He is being sued in his individual capacity.

9. Defendant Eric Carter, at all times pertinent to this Complaint, was and is employed by the Harrisburg Police Department, acting under color of state law, pursuant to the official policy,

custom or practice of the City of Harrisburg and/or its Police Department. He is being sued in his individual capacity.

10. Defendant Thomas McGarrity, at all times pertinent to this Complaint, was and is employed by the Harrisburg Police Department, acting under color of state law, pursuant to the official policy, custom or practice of the City of Harrisburg and/or its Police Department. He is being sued in his individual capacity.

11. Defendant Hudson Hughes, at all times pertinent to this Complaint, was and is employed by the Harrisburg Police Department, acting under color of state law, pursuant to the official policy, custom or practice of the City of Harrisburg and/or its Police Department. He is being sued in his individual capacity.

12. Defendant Luis Rodriguez, at all times pertinent to this Complaint, was and is employed by the Harrisburg Police Department, acting under color of state law, pursuant to the official policy, custom or practice of the City of Harrisburg and/or its Police Department. He is being sued in his individual capacity.

13. Defendants John/Jane Doe 1-10, at all times pertinent to this Complaint, were employed by the Harrisburg Police Department, acting under color of state law, pursuant to the official policy, custom or practice of the City of Harrisburg and/or its Police Department. They are being sued in his individual capacity.

FACTUAL ALLEGATIONS COMMON TO AL CAUSES OF ACTION

14. Plaintiff Deanna Blake is the mother of Plaintiffs Khalif Williams, Naim Williams, Rashid Gilmore, and Shariff Blake, and is the owner and operator of a corner store, "D & L Groceries," located at 1501 Herr Street, Harrisburg, PA.

15. On July 11, 2010, Plaintiffs Khalif, Naim, Rashid and Shariff were all at the family store.

16. Defendants Chance, Carter, McGarrity, Hughes, Rodriguez and John Does, who were allegedly responding to a report of a juvenile with a gun several blocks away, arrived at the store.

17. Defendant Chance approached Khalif and did not say a word before he handcuffed Khalif without legal cause or justification.

18. At the same time, one of the Defendants approached Naim at the side non-public entrance and tried to enter the store. When Naim refused him entry, this Defendant placed him in a headlock and then handcuffed him, all without legal cause or justification.

19. Without legal cause or justification, one or several of the Defendants placed Rashid and Shariff in handcuffs.

20. Without legal cause or justification, Defendants Carter and Chance both discharged their Taser guns striking Khalif, who was still handcuffed, causing him to fall backward and strike his head on the pavement.

21. Khalif was picked up and placed in a police vehicle, after which some or all of the Defendants entered the store, without a warrant and without permission or consent, and conducted an unlawful search.

22. Without legal cause or justification, and without a warrant, some or all of the Defendants removed video surveillance equipment and a computer and placed them into police custody.

23. Defendants McGarrity, Hughes, Rodriguez and/or John Does took an active part in the aforementioned unlawful conduct, or did not nothing to prevent or interfere in their fellow Officer's unlawful conduct.

24. On or about July 12, 2010, Defendants arrived at 1716 Herr Street, Harrisburg, a residence owned by Plaintiff Deanna Blake and without a warrant or permission or consent, entered the home and conducted an unlawful search.

25. While Naim, Rashid, and Shariff were released without being charged, without legal cause or justification, and based upon the false allegations made by Defendants, Khalif was taken into custody and charged with aggravated assault and resisting arrest.

26. Khalif was detained in the juvenile detention center for 3 days, and thereafter, was placed on a 9:00 PM curfew until June 4, 2012.

27. On June 4, 2012, following an adjudicatory hearing that took place on May 23, 2012, Khalif was found not guilty of all charges

COUNT I
FEDERAL CAUSE OF ACTION
42 U.S.C. § 1983 – Fourth Amendment
Plaintiff Khalif Williams v. All Defendant Police Officers

28. Plaintiff Khalif Williams hereby incorporates the preceding paragraphs of this Complaint, as set forth above.

29. The acts of Defendants described herein were committed under color of state law, either directly or through conspiracy whereby Defendants conspired to deprive Plaintiff of his civil rights to be free from unreasonable searches and seizures under the Fourth Amendment.

30. As a direct and proximate cause of the actions of Defendants, individually and jointly, Plaintiff Khalif Williams suffered the following injury and damages:

a. Violation of his constitutional rights under the Fourth and Fourteenth Amendments to the United States Constitution and the laws of the Commonwealth of Pennsylvania to be free in his person and property from unreasonable searches and seizures;

b. Loss of his physical liberty;

- c. Search and seizure of his private property;
- d. Physical pain, and emotional distress, public humiliation, damage to his reputation, depression and anxiety.
- e. Economic losses, including but not limited to attorney's fees.

31. Plaintiff claims damages under 42 U.S.C. § 1983, for the injuries set forth above against Defendants for their violation of the clearly established and well-settled federal constitutional rights of Plaintiff Khalif Williams.

COUNT II
FEDERAL CAUSE OF ACTION
42 U.S.C. § 1983 – Fourth Amendment
Plaintiff Naim Williams v. All Defendant Police Officers

32. Plaintiff Naim Williams hereby incorporates the preceding paragraphs of this Complaint, as set forth above.

33. The acts of Defendants described herein were committed under color of state law, either directly or through conspiracy whereby Defendants conspired to deprive Plaintiff of his civil rights to be free from unreasonable searches and seizures under the Fourth Amendment.

34. As a direct and proximate cause of the actions of Defendants, individually and jointly, Plaintiff Naim Williams suffered the following injury and damages:

- a. Violation of his constitutional rights under the Fourth and Fourteenth Amendments to the United States Constitution and the laws of the Commonwealth of Pennsylvania to be free in his person and property from unreasonable searches and seizures;
- b. Loss of his physical liberty;
- c. Search and seizure of his private property;
- d. Physical pain, and emotional distress, public humiliation, damage to his reputation, depression and anxiety.

35. Plaintiff claims damages under 42 U.S.C. § 1983, for the injuries set forth above against

Defendants for their violation of the clearly established and well-settled federal constitutional rights of Plaintiff Naim Williams.

COUNT III
FEDERAL CAUSE OF ACTION
42 U.S.C. § 1983 – Fourth Amendment
Plaintiff Rashid Gilmore v. All Defendant Police Officers

36. Plaintiff Rashid Gilmore hereby incorporates the preceding paragraphs of this Complaint, as set forth above.

37. The acts of Defendants described herein were committed under color of state law, either directly or through conspiracy whereby Defendants conspired to deprive Plaintiff of his civil rights to be free from unreasonable searches and seizures under the Fourth Amendment.

38. As a direct and proximate cause of the actions of Defendants, individually and jointly, Plaintiff Rashid Gilmore suffered the following injury and damages:

- a. Violation of his constitutional rights under the Fourth and Fourteenth Amendments to the United States Constitution and the laws of the Commonwealth of Pennsylvania to be free in his person and property from unreasonable searches and seizures;
- b. Loss of his physical liberty;
- c. Search and seizure of his private property;
- d. Physical pain, and emotional distress, public humiliation, damage to his reputation, depression and anxiety.

39. Plaintiff claims damages under 42 U.S.C. § 1983, for the injuries set forth above against Defendants for their violation of the clearly established and well-settled federal constitutional rights of Plaintiff Rashid Gilmore.

COUNT IV
FEDERAL CAUSE OF ACTION
42 U.S.C. § 1983 – Fourth Amendment
Plaintiff Shariff Blake v. All Defendant Police Officers

40. Plaintiff Shariff Blake hereby incorporates the preceding paragraphs of this Complaint, as set forth above.

41. The acts of Defendants described herein were committed under color of state law, either directly or through conspiracy whereby Defendants conspired to deprive Plaintiff of his civil rights to be free from unreasonable searches and seizures under the Fourth Amendment.

42. As a direct and proximate cause of the actions of Defendants, individually and jointly, Plaintiff Shariff Blake suffered the following injury and damages:

- a. Violation of his constitutional rights under the Fourth and Fourteenth Amendments to the United States Constitution and the laws of the Commonwealth of Pennsylvania to be free in his person and property from unreasonable searches and seizures;
- b. Loss of his physical liberty;
- c. Search and seizure of his private property;
- d. Physical pain, and emotional distress, public humiliation, damage to his reputation, depression and anxiety.

43. Plaintiff claims damages under 42 U.S.C. § 1983, for the injuries set forth above against Defendants for their violation of the clearly established and well-settled federal constitutional rights of Plaintiff Shariff Blake.

COUNT V
FEDERAL CAUSE OF ACTION
42 U.S.C. § 1983 – Fourth Amendment
Plaintiff Deanna Blake v. All Defendant Police Officers

44. Plaintiff Deanna Blake hereby incorporates the preceding paragraphs of this Complaint, as set forth above.

45. The acts of Defendants described herein were committed under color of state law, either directly or through conspiracy whereby Defendants conspired to deprive Plaintiff of her civil rights to be free from unreasonable searches and seizures under the Fourth Amendment.

46. As a direct and proximate cause of the actions of Defendants, individually and jointly, Plaintiff Deanna Blake suffered the following injury and damages:

- a. Violation of her constitutional rights under the Fourth and Fourteenth Amendments to the United States Constitution and the laws of the Commonwealth of Pennsylvania to be free in her person and property from unreasonable searches and seizures;
- b. Search and seizure of her private property;
- c. Physical pain, and emotional distress, public humiliation, damage to her reputation, depression and anxiety.

47. Plaintiff claims damages under 42 U.S.C. § 1983, for the injuries set forth above against Defendants for their violation of the clearly established and well-settled federal constitutional rights of Plaintiff Deanna Blake.

COUNT V
FEDERAL CAUSE OF ACTION
42 U.S.C. § 1983 -- Monell
Plaintiffs v. Defendant City of Harrisburg

48. Plaintiffs hereby incorporate the preceding paragraphs of this Complaint, as set forth above.

49. Defendant City of Harrisburg, as a matter of policy or practice, has, with deliberate indifference to the rights of its citizens, including Plaintiffs, failed to:

- a. adequately hire, discipline, train, supervise and/or otherwise direct its employees, including Defendants in this case, concerning the rights of citizens;
- b. establish a system which properly identifies, reports and/or investigates instances of improper conduct by its employees, including Defendants in this case; and

c. adequately sanction and/or discipline its employees, including Defendants in this case, for violations of the rights of citizens;

hereby causing Defendants, in this case, to engage in the unlawful conduct described herein.

50. As a direct and proximate cause of the actions of Defendant City of Harrisburg, Plaintiffs suffered the following injury and damages:

- a. Violation of their constitutional rights under the Fourth and Fourteenth Amendments to the United States Constitution and the laws of the Commonwealth of Pennsylvania;
- b. Loss of physical liberty;
- c. Search and seizure of private property;
- d. Suffer physical pain, and emotional distress, public humiliation, damage to their reputation, depression and anxiety.
- e. Economic losses

51. Plaintiffs claim damages under 42 U.S.C. § 1983, for the injuries set forth above against Defendants for their violation of the clearly established and well-settled federal constitutional rights of Plaintiffs.

COUNT VII
STATE CLAIM - ASSAULT AND BATTERY
Plaintiff Khalif Williams v. All Defendant Police Officers

52. Plaintiff Khalif Williams incorporates by reference each and every allegation set forth in the preceding paragraphs as if set forth herein at length.

53. By the conduct set forth above, by physically restraining and handcuffing Plaintiff, then Tasing him, all without legal cause or justification, Defendants, jointly and individually, used unreasonable force and caused and intended to cause a harmful and offensive contact with the body of Plaintiff.

54. By the conduct set forth above, Defendants, jointly and individually, caused and intended to cause Plaintiff immediate and harmful injury.

55. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical injury and pain, and continues to suffer emotional distress, humiliation, mental pain and anguish.

COUNT VIII
STATE CLAIM - FALSE IMPRISONMENT
Plaintiff Khalif Williams v. All Defendant Police Officers

56. Plaintiff Khalif Williams incorporates by reference each and every allegation set forth in the preceding paragraphs as if set forth herein at length.

57. By the conduct set forth above, including causing Plaintiff to be physically restrained, handcuffed, taken into police custody and charged with criminal activity, all without legal justification or cause, Defendants, jointly and individually, caused and intended to cause Plaintiff to be confined.

58. As a result of the conduct described above, Plaintiff was in fact arrested and confined without probable cause, and without his consent and against his will.

59. Defendants, jointly and individually, without legal cause or justification, used physical force, threats, and actual or apparent physical barriers to overcome Plaintiff and effect a confinement.

60. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical pain and injury; and continues to suffer emotional distress, humiliation, mental pain and anguish.

COUNT IX
STATE CLAIM - MALICIOUS PROSECUTION
Plaintiff Khalif Williams v. All Defendant Police Officers

61. Plaintiff Khalif Williams incorporates by reference each and every allegation set forth in the preceding paragraphs as if set forth herein at length.

62. By the conduct set forth above, Defendants, individually and jointly, intentionally, recklessly, and maliciously caused a criminal prosecution to be initiated against Plaintiff.

63. Plaintiff was arrested and imprisoned and had to endure the prospect of going to trial in order to prove his innocence. Defendants acted with malice and furthered the prosecution of Plaintiff by providing false information, and/or withholding truthful information, all of which if known would have resulted in no prosecution of Plaintiff.

64. The criminal charges against Plaintiff were terminated in his favor.

65. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical injury and pain, and continues to suffer emotional distress, humiliation, mental pain and anguish and such other and further losses as are established at trial.

66. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical injury and pain, and continues to suffer emotional distress, humiliation, mental pain and anguish.

COUNT X
STATE CLAIM - ASSAULT AND BATTERY
Plaintiff Naim Williams v. All Defendant Police Officers

67. Plaintiff Naim Williams incorporates by reference each and every allegation set forth in the preceding paragraphs as if set forth herein at length.

68. By the conduct set forth above, by physically restraining and handcuffing Plaintiff, all without legal cause or justification, Defendants, jointly and individually, used unreasonable force and caused and intended to cause a harmful and offensive contact with the body of Plaintiff.

69. By the conduct set forth above, Defendants, jointly and individually, caused and intended to cause Plaintiff immediate and harmful injury.

70. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical injury and pain, and continues to suffer emotional distress, humiliation, mental pain and anguish.

COUNT XI
STATE CLAIM - FALSE IMPRISONMENT
Plaintiff Naim Williams v. All Defendant Police Officers

71. Plaintiff Naim Williams incorporates by reference each and every allegation set forth in the preceding paragraphs as if set forth herein at length.

72. By the conduct set forth above, including causing Plaintiff to be physically restrained, handcuffed, and taken into police custody, all without legal justification or cause, Defendants, jointly and individually, caused and intended to cause Plaintiff to be confined.

73. As a result of the conduct described above, Plaintiff was in fact arrested and confined without probable cause, and without his consent and against his will.

74. Defendants, jointly and individually, without legal cause or justification, used physical force, threats, and actual or apparent physical barriers to overcome Plaintiff and effect a confinement.

75. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical pain and injury; and continues to suffer emotional distress, humiliation, mental pain and anguish.

COUNT XII
STATE CLAIM - ASSAULT AND BATTERY
Plaintiff Rashid Gilmore v. All Defendant Police Officers

76. Plaintiff Rashid Gilmore incorporates by reference each and every allegation set forth in the preceding paragraphs as if set forth herein at length.

77. By the conduct set forth above, by physically restraining and handcuffing Plaintiff, all without legal cause or justification, Defendants, jointly and individually, used unreasonable force and caused and intended to cause a harmful and offensive contact with the body of Plaintiff.

78. By the conduct set forth above, Defendants, jointly and individually, caused and intended to cause Plaintiff immediate and harmful injury.

79. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical injury and pain, and continues to suffer emotional distress, humiliation, mental pain and anguish.

COUNT XIII
STATE CLAIM - FALSE IMPRISONMENT
Plaintiff Rashid Gilmore v. All Defendant Police Officers

80. Plaintiff Rashid Gilmore incorporates by reference each and every allegation set forth in the preceding paragraphs as if set forth herein at length.

81. By the conduct set forth above, including causing Plaintiff to be physically restrained, handcuffed, and taken into police custody, all without legal justification or cause, Defendants, jointly and individually, caused and intended to cause Plaintiff to be confined.

82. As a result of the conduct described above, Plaintiff was in fact arrested and confined without probable cause, and without his consent and against his will.

83. Defendants, jointly and individually, without legal cause or justification, used physical force, threats, and actual or apparent physical barriers to overcome Plaintiff and effect a confinement.

84. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical pain and injury; and continues to suffer emotional distress, humiliation, mental pain and anguish.

COUNT XIV
STATE CLAIM - ASSAULT AND BATTERY
Plaintiff Shariff Blake v. All Defendant Police Officers

85. Plaintiff Shariff Blake incorporates by reference each and every allegation set forth in the preceding paragraphs as if set forth herein at length.

86. By the conduct set forth above, by physically restraining and handcuffing Plaintiff, all without legal cause or justification, Defendants, jointly and individually, used unreasonable force and caused and intended to cause a harmful and offensive contact with the body of Plaintiff.

87. By the conduct set forth above, Defendants, jointly and individually, caused and intended to cause Plaintiff immediate and harmful injury.

88. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical injury and pain, and continues to suffer emotional distress, humiliation, mental pain and anguish.

COUNT XIII
STATE CLAIM - FALSE IMPRISONMENT
Plaintiff Shariff Blake v. All Defendant Police Officers

89. Plaintiff Shariff Blake incorporates by reference each and every allegation set forth in the preceding paragraphs as if set forth herein at length.

90. By the conduct set forth above, including causing Plaintiff to be physically restrained, handcuffed, and taken into police custody, all without legal justification or cause, Defendants, jointly and individually, caused and intended to cause Plaintiff to be confined.

91. As a result of the conduct described above, Plaintiff was in fact arrested and confined without probable cause, and without his consent and against his will.

92. Defendants, jointly and individually, without legal cause or justification, used physical force, threats, and actual or apparent physical barriers to overcome Plaintiff and effect a confinement.

93. As a direct and proximate result of the aforementioned conduct, Plaintiff suffered physical pain and injury; and continues to suffer emotional distress, humiliation, mental pain and anguish.

DAMAGES

94. Plaintiff hereby incorporates the preceding paragraphs of this Complaint as set forth above.

95. Plaintiffs suffered losses including, but not limited to pain and suffering, economic losses, attorney's fees and medical expenses.

96. The conduct of Defendants, individually and jointly, was outrageous, in that it was malicious, wanton, willful, or oppressive, or showed reckless indifference to the interests of Plaintiffs, and therefore, warrants the imposition of punitive damages.

WHEREFORE, Plaintiffs requests the following relief:

- a. Compensatory damages;
- b. Punitive damages;
- c. Such equitable and legal relief as is proper and just.
- d. Attorney fees

Respectfully submitted,

JAMES, SCHWARTZ & ASSOCIATES, P. C.
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215-751-9865

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ATTORNEYS FOR PLAINTIFF

Date: July 5, 2012